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U.S.D.C. - Atlanta

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

BLACKBOARD INC.)
Plaintiff,)
v.) Civil Action File No. 1:03-CV-1279 (CC)
BILLY HOFFMAN and VIRGIL) On Removal from the Superior
GRIFFITH,) Court of DeKalb County, Georgia
Defendants.)

✓
JUN 27 2003
LUTHER D. HUNTER, Clerk
Patricia L. Springer
Deputy Clerk

CONSENT ORDER EXTENDING
DURATION OF TEMPORARY RESTRAINING ORDER
THROUGH JULY 29, 2003

Upon the consent of Plaintiff Blackboard Inc. and Defendants Billy Hoffman and Virgil Griffith, and for good cause shown,

IT IS HEREBY ORDERED that the expiration date of the April 12, 2003 Order granting a temporary injunction ("the Order"), previously entered in this case and extended once by the Hon. Ann Workman, Judge of the Superior Court of Dekalb County, Georgia, prior to this case's removal to federal court, and also extended by this Court through June 29, 2003, is hereby extended further, to and through July 29, 2003. During said extended period, the Order shall remain in full force and effect. During the extended period, Defendants shall conduct themselves in accordance with the Order and shall not knowingly or intentionally assist any third party in disseminating information covered by the Order, or in retaliating against Blackboard or its clients by electronically bombarding any server of Blackboard, its clients or its agents.

With the consent of the parties, this Court also hereby orders that the time within which the parties would otherwise be obliged to file mandatory disclosures and a joint scheduling statement under the Federal Rules of Civil Procedure, and/or under this Court's local rules, are hereby also extended for a period of an additional 30 days.

The parties stipulate and agree that this Consent Order shall in no way constitute or be deemed a waiver of any party's rights in this action, all of which are expressly reserved, except as expressly set forth above. Among other such reserved rights, Plaintiff retains the right to file an action for contempt against Defendants for any previous failure to comply with the Order, and to challenge and file a motion to remand in connection with the removal petition filed by the Defendants in this action. The Defendants, among other reserved rights and defenses, retain the defense of improper venue, and the defense of lack of personal jurisdiction, to the extent that such rights were not waived by Defendants' petition removing this action to this Court.

This 27th day of June, 2003.



The Honorable Clarence Cooper
United States District Judge

Stipulated and Agreed to by:

SUTHERLAND ASBILL & BRENNAN, LLP



Charles S. Lester, Jr.
Georgia Bar No. 447200
Gregory S. Smith
Georgia Bar No. 658375
999 Peachtree St. NE
Atlanta, GA 30309-3996
Phone: (404) 853-8000
Fax: (404) 853-8806
Attorneys for Plaintiff

WELLBORN & BUTLER, LLC

*Pete F. Wellborn, III (by Gregory S. Smith,
Paul F. Wellborn, III
Georgia Bar No. 746720
1372 Peachtree St., N.E., Suite 204
Atlanta, GA 30309
Phone: (404) 815-9595
Fax: (404) 815-9957
Attorney for Defendants*
With express permission